

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, :
Plaintiff :
vs. : CRIMINAL NO. 1:CR-95-140-02
: :
DAREN WRIGHT, :
Defendant :
:

M E M O R A N D U M

Defendant, Daren Wright, has filed a pro se motion for reduction of sentence. In November 1995, Wright pled guilty to operating a continuing criminal enterprise in connection with drug-trafficking. In April 1996, he was sentenced to 292 months' imprisonment, later reduced in April 1997 to 233 months.

In his current motion, Defendant asserts that under U.S.S.G. § 5K2.0(a)(2)(A) and § 5G1.3, we should reduce his sentence to give him credit for time served on a 1988 New Jersey drug conviction.

We have no authority to grant the requested relief. Federal courts have no inherent authority to modify a sentence at any time. *See McMillan v. United States*, 257 F. App'x 477, 479 (3d Cir. 2007)(per curiam)(nonprecedential)(“We note that, as a general matter, a court cannot modify a term of imprisonment after it has been imposed without specific authorization.”)(citing *United States v. DeLeo*, 644 F.2d 300, 301 (3d Cir. 1981)); *United States v. Penna*, 319 F.3d 509, 511 (9th Cir. 2003). And Defendant points

to no authority that would allow us to do so. See, e.g., *United States v. Styer*, 573 F.3d 151, 153 (3d Cir. 2009) (adjudicating a motion for reduction in sentence authorized by 18 U.S.C. § 3582(c)(2)).

We will therefore deny the motion.¹

/s/William W. Caldwell
William W. Caldwell
United States District Judge

Date: December 1, 2010

¹ Defendant has alternatively requested that we “encourage” the Bureau of Prisons to grant him a nunc pro tunc designation for the period, unspecified by Defendant, at issue. We decline to do so because the length of Defendant’s sentence is a different issue from credit on the sentence.

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O R D E R

AND NOW, this 1st day of December, 2010, it is ordered that Defendant's motion (doc. 431) for reduction in sentence is denied.

/s/William W. Caldwell
William W. Caldwell
United States District Judge